



STATE OF HAWAII
DEPARTMENT OF HEALTH
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**Testimony in SUPPORT of Bill 0070 (2017)
RELATING TO THE SMOKING**

REGULAR MEETING
HONOLULU CITY COUNCIL

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Hearing Date: August 9, 2017 10:00 AM Room Number: Council Chamber

1 **Fiscal Implications:** None for the Department of Health (DOH).

2 **Department Testimony:** The DOH supports Bill 0070 (2017) as a public health measure to
3 protect youth under the age of 18 years from involuntary exposure to tobacco smoke in motor
4 vehicles. The DOH supports the inclusion of electronic smoking devices (ESDs) in this measure,
5 and concurs with aligning the county definitions of “electronic smoking device,” “tobacco
6 product,” and “smoke” or “smoking” with the definitions in §328J-1, Hawaii Revised Statutes.

7 The dangers of secondhand smoke are well-documented, and have led to the successful
8 enactment of smoke-free workplace and public place laws both in Hawaii and across the nation.
9 More than half of all states in the United States have smoke-free workplace laws, and in recent
10 years, Hawaii’s smoke-free policies have expanded to include beaches, parks, and bus stops.
11 Leading health authorities throughout the world concur that there is no risk-free level of
12 exposure to secondhand smoke, and that the only effective way to protect people from harm is to
13 totally eliminate smoking in enclosed spaces.¹ A recent study published by the U.S. Centers for
14 Disease Control and Prevention (CDC) indicates that approximately 15% of American teens who
15 have never used tobacco reported being exposed to harmful secondhand smoke in a car in the
16 past week.² Hawaii youth in 2015 reported higher rates of exposure; 16% for middle school
17 students, and 18% for high school students.³

18 Extensive scientific literature shows that passive smoke exposure in a confined space –
19 such as inside a car – is particularly harmful. The concentration of toxins in a smoke-filled car

1 can be several times greater than that of a smoky bar, and children are more vulnerable.^{4,5} Toxin
2 levels in a vehicle with secondhand smoke can exceed some of the worst air quality days in a
3 large city.⁶ Tobacco smoke is a scientifically verified toxic air contaminant which increases
4 morbidity and mortality in children leading to respiratory infections, sudden infant death
5 syndrome, ear infections, and more severe asthma.^{7,8} Educational campaigns about smoking in
6 cars can help shape community norms and impact individual behavior; however, in the absence
7 of a legislative mandate, those who are most vulnerable — particularly children — remain
8 powerless to avoid exposure or protect themselves from harm.⁹

9 In 2016, the Surgeon General declared that aerosol from ESDs can contain both harmful
10 and potentially harmful chemicals aside from nicotine.¹⁰ Other studies found hazardous
11 constituents in ESDs including traces of metal, volatile organic compounds, and nitrosamines.¹¹
12 Nicotine present in the ESD aerosol can also be absorbed by users and bystanders.¹²
13 Additionally, the rapidly evolving and currently under regulated nature of the ESD market makes
14 it impossible for consumers to verify the chemical composition and safety of the products they
15 consume.

16 In addition to the Hawaii County smoke-free cars code (Section 14-21(12), Ordinance
17 No. 10-33, August 2010), Kauai County further adopted a measure to prohibit smoking in a
18 vehicle when a child under 13 years old is present (Section. 22-8.2, Ord. No. 1005, July 20,
19 2016). There are also eight states and two U.S. Territories that have similar laws. These
20 jurisdictions have proactively addressed secondhand smoke exposure in vehicles. The DOH
21 supports this measure to expand smoke-free protections for the youth in Honolulu County.

22 Thank you for the opportunity to testify on this important measure.

¹ Susan R. Weisman, *Public Health Law Center, Kids, Cars and Cigarettes: Policy Options for Smoke-Free Vehicles* (2010).
http://publichealthlawcenter.org/sites/default/files/resources/phlc-policybrief-kidscarssmoke-2010_0.pdf

² Agaku, I. T., Singh, T., Rolle, I., Olalekan, A., & King, B. A., 2016. *Prevalence and Determinants of Secondhand Smoke Exposure among Middle and High School Students*. Pediatrics. <http://pediatrics.aappublications.org/content/pediatrics/early/2016/01/08/peds.2015-1985.full.pdf>

³ Hawaii Youth Tobacco Survey 2015.

⁴ Sendzik, T, et al., *An experimental investigation of tobacco smoke pollution in cars*, Toronto, ON: Ontario Tobacco Research Unit, March 2008.

⁵ Non-Smokers' Rights Assn, *Smoking and Health Action Foundation, Second-hand Smoke in Homes and Cars*, 3-4 (2007)
http://www.nsraddnf.ca/cms/file/files/pdf/DOCU_07_02_22_SHS_HomeCarsFinalUpdate.pdf

⁶ Edwards R, et al., *Highly hazardous air quality associated with smoking in cars: New Zealand pilot study*, The New Zealand Medical Journal 119(1244), October 2006, <http://www.nzma.org.nz/journal/119-1244/2294/>

⁷ U.S. Department of Health and Human Services. *Let's Make the Next Generation Tobacco-Free: Your Guide to the 50th Anniversary Surgeon General's Report on Smoking and Health*. Atlanta: U.S. Department of Health and Human Services, Centers for Disease Control and Prevention, National Center for Chronic Disease Prevention and Health Promotion, Office on Smoking and Health, 2014.

⁸ U.S. Department of Health and Human Services. *The Health Consequences of Smoking—50 Years of Progress: A Report of the Surgeon General*, 2014.

⁹ Non-Smokers' Rights Assn, Smoking and Health Action Foundation, *Second-hand Smoke in Homes and Cars 3-4*, 2007. http://www.nsrainf.ca/cms/file/files/pdf/DOCU_07_D2_22_SHS_HomeCarsFinalUpdate.pdf.

¹⁰ U.S. Department of Health and Human Services, *E-Cigarette Use Among Youth and Young Adults. A Report of the Surgeon General*, 2016.

¹¹ Cheng T. Chemical Evaluation of Electronic Cigarettes, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3995255/> Nicotine & Tobacco Research 2014;23:ii11–7

¹² CDC, "Dual Use of Tobacco Products." <http://www.cdc.gov/tobacco/campaign/tips/diseases/dual-tobacco-use.html#ten>.